

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY CORPORATION,

Plaintiff,

v.

PUBLICNSA, LLC, RICHARD DOES 1-10, and  
ABC COMPANIES 1-10,

Defendants.

Civil Action No.: \_\_\_\_\_

(Removed from Superior Court of  
New Jersey, Chancery Division, Essex  
County

Docket No.: ESX-L-0003317-25)

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant PublicNSA, LLC, hereby removes the above-captioned action from the Superior Court of New Jersey, Law Division for Essex County to the United States District Court for the District of New Jersey. Removal is proper under 28 U.S.C. § 1332 based on diversity jurisdiction. In support of this Notice of Removal, PublicNSA states as follows:

1. On or about April 30, 2025, Plaintiff Atlas Data Privacy Corporation filed a Complaint against PublicNSA in the Superior Court of New Jersey, Law Division for Essex County, under Case No. ESX-L-0003317-25 (“State Court Action”).

2. The Complaint, a true and correct copy of which is included as **Exhibit A**, has not been served on PublicNSA.

3. This Notice of Removal is filed before service on PublicNSA, in accordance with the provisions of 28 U.S.C. § 1446.

4. Pursuant to 28 U.S.C. § 1446(a), PublicNSA, as the removing defendant in the State Court Action, is required to file copies of all process, pleadings, and orders served upon

it. No process, pleadings, or orders have been served upon PublicNSA. For the Court's reference, attached here as Exhibit A is a true and correct copy of Plaintiff's Complaint in the State Court Action as retrieved from the online docket for the Superior Court of New Jersey. Attached as **Exhibit B** is a true and correct copy of the Superior Court of New Jersey's correspondence assigning the case to the New Jersey Complex Business Litigation Program.

5. According to the Complaint, Plaintiff is, and was at the time of filing of the Complaint, a corporation organized under the laws of Delaware with its principal place of business in Jersey City, New Jersey. (Compl. ¶ 23.) Thus, for jurisdictional purposes, Plaintiff is a citizen of both Delaware and New Jersey.

6. PublicNSA is a limited liability company organized under the laws of Florida. For jurisdictional purposes, PublicNSA (as an LLC) is a citizen of the states or countries in which its members are domiciled. *GBForefront, L.P. v. Forefront Mgmt. Grp., LLC*, 888 F.3d 29, 34 (3d Cir. 2018). PublicNSA's members are Lucian Muresan and Techitronics LLC.

7. Mr. Muresan is a resident of and domiciled in Romania.

8. Techitronics LLC's sole member is The Mack Lempel Living Trust u/a/d/ May 14, 2024 (the "Mack Lempel Living Trust"), formed under the laws of Florida. For jurisdictional purposes, the Mack Lempel Living Trust (as a traditional trust) is a citizen of the states in which its trustees reside. *GBForefront*, 888 F.3d at 39 ("the citizenship of a traditional trust is only that of its trustee"). The Mack Lempel Living Trust's trustees are Bradley Mack and Lesley Lempel, a married couple residing in Florida. Mr. Mack and Ms. Lempel are also the Mark Lempel Living Trust's sole beneficiaries.

9. Thus, for jurisdictional purposes, PublicNSA is a citizen of Romania and the state of Florida.

10. In turn, complete diversity of citizenship exists among the parties, as required by 28 U.S.C. § 1332(a).

11. In the Complaint, Plaintiff asserts one cause of action for alleged violations of Daniel's Law, N.J.S.A. 47:1A-1.1 *et seq.* and 56:8-166.1 *et seq.* (*See Compl. ¶¶ 59-65.*)

12. Plaintiff purports to bring that claim as the assignee of "approximately 18,867 individuals who are all 'Covered Persons' under Daniel's Law." (*Id.* ¶ 24.)

13. Plaintiff purports to seek actual or liquidated damages of at least \$1,000 per alleged violation—i.e., at least \$18,867,000 [equal to 18,867 covered persons multiplied by \$1,000 per person]—plus punitive damages, injunctive relief, and other equitable relief.

14. Accordingly, although PublicNSA denies any liability to Plaintiff whatsoever, the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, as required by 28 U.S.C. § 1332(a).

15. This Court has original jurisdiction pursuant to 28 U.S.C. § 1332.

16. In accordance with 28 U.S.C. § 1441(a) and (c), venue of the removal action is proper in this Court because it is in the district and division embracing the place where the State Court Action is pending.

17. In accordance with 28 U.S.C. § 1446(d), promptly after the filing of this Notice of Removal, PublicNSA will give written notice of the removal to Plaintiff and will file a copy of this Notice of Removal with the Superior Court of New Jersey, Law Division for Essex County.

18. Nothing contained in this Notice of Removal, or accompanying papers, must be interpreted, or is intended, to waive or relinquish any of PublicNSA's rights to assert any defense or affirmative matter. By filing this Notice of Removal, PublicNSA does not waive its right to assert (1) improper venue, (2) insufficient service of process, (3) failure to state a claim, (4) failure

to join a party under Rule 19, or (5) any other pertinent defense available under Rule 12 of the New Jersey and Federal Rules of Civil Procedure. Further, by filing this Notice of Removal, PublicNSA does not waive its right to pursue arbitration.

19. Pursuant to Fed. R. Civ. P. 81(c), PublicNSA will present its defenses by pleading at the time prescribed therein and specifically reserves its right to assert all defenses, including those defenses under Fed. R. Civ. P. 12(b).

**WHEREFORE**, PublicNSA hereby removes the State Court Action now pending in the Superior Court of New Jersey, Law Division for Essex County, under Case No. ESX-L-0003317-25, to the United States District Court for the District of New Jersey, and requests that all further proceedings be heard by this Court.

A civil cover sheet is submitted herewith.

Date: May 28, 2025

WOMBLE BOND DICKINSON (US) LLP

/s/ Kevin J. Mangan

Kevin J. Mangan (NJ Bar ID. 030721989)  
1313 North Market Street, Suite 1200  
Wilmington, DE 19801  
Telephone: 302-252-4335  
Facsimile: 302-661-7735  
Email: Kevin.Mangan@wbd-us.com  
Email: Patrick.E.McCormick@wbd-us.com

-and-

Patrick Emerson McCormick  
(*Pro Hac Vice* application forthcoming)  
One S. Church Avenue, Suite 2000  
Tucson, AZ 85701  
Telephone: (520) 622-2090  
Facsimile: (520) 622-3088  
Email: Patrick.E.Mccormick@wbd-us.com

-and-

Andrew Dubin (NJ Bar ID 349472021)  
1221 Main Street, Suite 1600  
Columbia, South Carolina 29201  
Telephone: (803) 454-7716  
Facsimile: (704) 331-4955  
Email: Andrew.Dubin@wbd-us.com

*Attorneys for Defendant PublicNSA, LLC.*